



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Lippa, et al

Title: **(-)-1-(3,4-DICHLOROPHENYL)-3-AZABICYCLO[3.1.0]HEXANE, COMPOSITIONS THEREOF, AND USES AS A DOPAMINE-REUPTAKE INHIBITOR**

Application No.: 10/764,375

Filing Date: January 23, 2004

Examiner/Unit: Taofiq Solola/1626

Atty. Docket No.: 2370-006-08

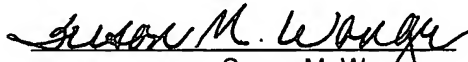
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Susan M. Wanger

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR § 1.97

TO THE COMMISSIONER FOR PATENTS:

In compliance with the duty of disclosure under 37 CFR § 1.56, Applicant submits herewith patents, publications, or other information for consideration during the examination of this application.

In accordance with 37 CFR § 1.97, the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made nor that the information cited in the statement is or is considered to be "material" to patentability as defined in 37 CFR § 1.56(b).

Since the Office Action dated April 11, 2005 was improperly designated as final, this Information Disclosure Statement is being properly submitted pursuant to 37 CFR §1.97(c). A check in the amount of \$180.00 due in connection with the filing of this Information Disclosure Statement as required by 37 CFR § 1.97(c) and 37 CFR § 1.17(p) is enclosed. The Commissioner is hereby authorized to charge any deficiency fees which may be required or credit any overpayment to Deposit Account No. 07-1897.

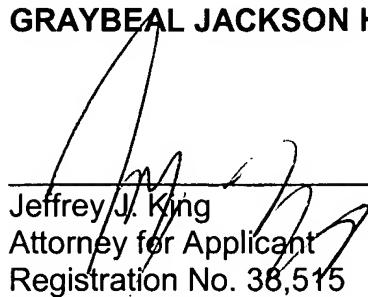
For the sake of completeness, the undersigned would also like to bring the following pending unpublished provisional and nonprovisional US patent applications to the attention of the Office: (1) US Provisional Application 60/625,207 filed 11/5/04; (2) US Provisional Application 60/701,562 filed 7/22/05; (3) US Provisional Application 60/702,800 filed 7/26/05; (4) US Provisional Application 60/703,364 filed 7/27/05; (5) US Provisional Application 60/664,002 filed 3/21/05; (6) US Provisional Application 60/661,662 filed 3/8/05; (7) US Patent Application Serial No. 10/920,748 filed 8/18/04; and (8) US Patent Application Serial No. 11/205,956, filed 8/16/05. These pending applications are being brought to the attention of the Office since they are in a similar technical field as and share common ownership with the present application. These unpublished applications are being identified for the Office's attention only and are not intended or authorized to become part of the file wrapper of the present application. No representation is made that the foregoing unpublished applications are or are considered to be "material" to patentability as defined in 37 CFR § 1.56(b).

The present application was filed as a divisional of U. S. Application Serial No. 10/425,545, filed April 29, 2003 and relies on the earlier application for an earlier effective filing date under 35 USC 120. Consequently, as provided in 37 CFR § 1.98(d), only copies of the foreign patent documents and non-patent literature documents cited in the attached PTO SB-8a and 8b and not previously submitted with the information disclosure statement properly submitted in the earlier application are attached.

Dated: September 12, 2005

Respectfully submitted,

GRAYBEAL JACKSON HALEY LLP



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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 Of 4

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|------------------------|------------------|
| Application Number | 10/764,375 |
| Filing Date | January 23, 2004 |
| First Named Inventor | Lippa, et al |
| Art Unit | 1626 |
| Examiner Name | Taofiq Solola |
| Attorney Docket Number | 2370-006-08 |

U.S. PATENT DOCUMENTS

| Exam. Initials | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|-------------------|--------------------------|--|--------------------------------|--|---|
| | | Number - Kind Code ² (if known) | | | |
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| | AB | US-6,204,284 | 03/20/01 | Beer, et al | |
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| FOREIGN PATENT DOCUMENTS | | | | | | |
|--------------------------|--------------------------|---|-----------------------------------|---|--|----------------|
| Exam. Initials | Cite No. ¹ | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T ⁶ |
| | | Country Code ³ - Number ⁴ - Kind Code ⁵ (if known) | | | | |
| | BN | BE 858,683 | 12/30/82 | BE (In French w/English Abstract) | | Published |
| | BO | BE 893,707 | 12/30/82 | BE (In French w/English Abstract) | | Published |
| Examiner Signature | | | | Date Considered | | |

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

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Sheet 3 Of 4

Complete if Known

| | |
|------------------------|------------------|
| Application Number | |
| Filing Date | January 23, 2004 |
| First Named Inventor | Lippa |
| Art Unit | 1626 |
| Examiner Name | Taofiq Solola |
| Attorney Docket Number | 2370-006 |

NON PATENT LITERATURE DOCUMENTS

| Exam. Initials | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
|----------------|-----------------------|---|----------------|
| | BP | BALDESSARINI, R. <i>Drugs and The Treatment of Psychiatric Disorders</i> . Goodman & Gilman's The Pharmacological Basis of Therapeutics 9 th Edition. Hardman et al. eds. 1996. p. 399 and Ch 18:431-459, McGraw-Hill, New York | |
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| NON-PATENT LITERATURE DOCUMENTS | | | |
|---------------------------------|-----------------------|---|----------------|
| Exam. Initials | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
| | CC | KIYATKIN, E. <u>Dopamine Mechanisms of Cocaine Addition</u> . Int. J. Neurosci. 78:75-101, 1994. | |
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| Examiner Signature | | Date Considered | |
|--------------------|--|-----------------|--|

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.